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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PATEL, JAGDISH

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/740,568	Applicant(s) DEWOLF ET AL.	
	Examiner JAGDISH N. PATEL	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) See Continuation Sheet is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continuation of Disposition of Claims: Claims pending in the application are 1-5,7-9,13,14,17-19,21,22,24,25,27-29,31-33,35,37,38,42,43,46-48,50-52,54-61,64-71,74, 76-79,81-86,89 and 90.

Continuation of Disposition of Claims: Claims rejected are 1-5,7-9,13,14,17-19,21,22,24,25,27-29,31-33,35,37,38,42,43,46-48,50-52,54-61,64-71,74, 76-79,81-86,89 and 90.

DETAILED ACTION

1. This communication is in response to amendment filed 1/10/08.

Response to Amendment

2. No claims have been amended, cancelled or added. Claims 1-5,7-9,13,14,17-19,21,22,24,25,27-29,31-33,35,37,38,42,43,46-48,50-52,54-61,64-71,74, 76-79,81-86,89 and 90 are pending and have been examined.

Response to Arguments

3. Applicant's arguments with respect to claims 1-5,7-9,13,14,17-19,21,22,24,25,27-29,31-33,35,37,38,42,43,46-48,50-52,54-61,64-71,74, 76-79,81-86,89 and 90 have been considered but are moot in view of the new ground(s) of rejections.

Response to Arguments/Remarks

1. Claim Rejection under 35 USC §101: The applicant's argument concerning rejection of claims 71 and 74 are not persuasive. An electronic record asset record stored on a computer-readable medium is not capable of producing a useful concrete and tangible result even when operated on by a computer. Therefore, the electronic asset record is interpreted as a non-functional descriptive material. Citing MPEP 2106.01 Computer-Related Nonstatutory Subject Matter [R-6] - 2100 Patentability:

“Nonfunctional descriptive material that does not constitute a statutory process, machine, manufacture, or composition of matter and should be rejected under 35 U.S.C. 101. Certain types of descriptive material, such as music, literature, art, photographs, and mere arrangements or

Art Unit: 3693

compilations of facts or data, without any functional interrelationship is not a process, machine, manufacture, or composition of matter.

Rejection of claims 71 and 74 under 35 USC §101 is therefore maintained.

2. Claim Objections: Claims 71, 84 and 85 have been objected as being of improper dependent form. The applicant has not responded to these objections. The examiner has, therefore, maintained the objections.

3. Claim Rejection under 35 USC §112: withdrawn.

4. Applicant's arguments with respect to rejection of claims 1-5, 7-9, 13-14, 17-19, 21-22, 24-25, 27-29, 31-33, 35, 37-38, 42-43, 46-48, 50-52, 54-, 64-70, 74, 76-79 and 81-85, and 87-90 under 35 USC 103 have been found persuasive. Accordingly, the rejection of these claims has been withdrawn. However, the pending claims have been rejected over newly found prior art.

Claim Rejections - 35 USC § 103

Claims 1-5, 7-9, 13-14, 17-19, 21-22, 24-25, 27-29, 31-33, 35, 37-38, 42-43, 46-48, 50-52, 54-, 64-70, 74, 76-79 and 81-85, and 87-90 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski (US Pat. 7,143, 055) (Perkowski) and further in view of McKie, Stewart “**Essbase 4.0. (Arbor Software's multidimensional DBMS) (Software Review)(Evaluation)**” DBMS, v9, n8, p60 (3) July, 1996 (hereafter **referred to as McKie**).

Claim 1: Perkowski teaches a method for recording information related to assets (col. 4 L 65- col. 5 L 32 “Internet-based product information database”), the method comprising:

- identifying the asset to be entered into an asset registry;
- (Col. 4 and 5 products to be added to the Internet-based product information database)
- assigning a unique identifier to the asset;

Art Unit: 3693

(col. 5 – col. 6 each product is assigned a Universal Product Code)
recording the information related to the asset in the asset registry, wherein the
information is associated with the unique identifier;

(Col. 4 and 5 product related information is collected and recorded in the
Internet-based product information database, this information is correlated to respective
UPC)

categorizing the information related the asset into multiple attributes;
(col. 5 – col. 6 the URLS are in the product information database are categorically
arranged and col. 12 L 46- 67 “database sub-system 9 for storing and serving various type of
consumer-product information”, merchandize classification);

managing read and write privileges to the asset registry
for various entities;

(col. 7 L 51 – col. 8 L 57 database construction, seeding the database, registering
products, and finding the registered product require management of read and right privileges ,
since write privilege is required for registering (adding or modifying) product attributes and
read privilege is required to distribute the product information to the consumers and retailers)

Perkowski, however, does not explicitly teach providing access the attributes to the
various entities that have an interest in the asset, wherein an entity having write privileges for a
first attribute of the asset can write data related to a change in the first attribute of the asset the
asset registry, and an entity having read privileges for a second attribute of asset can read data
related to the second attribute.

McKie teaches providing database access privileges ("access rights") down to the cell
level (each attribute of an asset corresponds to a cell in the asset registry) to allow users no
access, read only, or read/write rights, if required. (see highlighted text on page 2).

Art Unit: 3693

It would have been obvious to one of ordinary skill in the art at the time of invention to combine Perkowski and McKie as claimed because the combination would have yielded nothing more than predictable results namely providing different levels of access (or access privilege) to the asset attributes (Fig. 2A and 2B, Database Sub-system 9) do different attributes. For example manufacturers may be provided write privileges to the attributes of the products so they may update the product information as warranted whereas the merchants may be given only read privilege to the product attributes to these attributes in order that the integrity of the product attributes is maintained.

Claim 2-3: The method of claim 1, wherein the information being recorded for an entire life cycle of the asset, portion of a life cycle of the asset, the asset (product such as appliances) includes multiple components. (This limitation(s) is inherent in Perkowski because as the products have finite life time as become obsolete for various reasons (e.g. the products become outdated or obsolete or market failures, they are pulled out of the distribution)).

Claim 4: the asset includes multiple components (the term “consumer-product” is equivalent to the term “asset” in the claim. Consumer products such as electronic appliances, automobiles, etc. have multiple components)

Claim 5: information related to the asset includes data corresponding to each component part (see "consumer-product related information", col. 9 L 40-55).

Claim 7: the asset is a multi-vendor asset (a product is offered by a plurality of merchants, see col. 13 L 1-34).

Claims 22-23: ..the entities having interest in the asset communicate with the asset registry over an electronic network (the Internet) (see col. 13 L 1-34 and col. 17 L 8-52).

Claims 8-9, 13,14,17,18,19, 21, 27-29, 31-33, 35, 37-38, 42-43, 46-48, 64-70: features recited in the aforementioned subject claims are rendered obvious as per (“non-functional limitation”). The claims merely describe the asset (see as an example, claims 4-5, 7-9,

Art Unit: 3693

13,14,17,18,19 and 21) or entities that can access the asset registry. Such description of the asset or entities do not alter or further limit the functional process of the independent claim 1.

It would have been obvious to apply the method for recording information related to assets to any type of assets because it would yield predictable result of providing access to asset attributes wherein a first entity can write data related a change in the first attribute and a second entity can read data related to the second attribute .

For example, claim 9 recites: wherein the information related to the asset includes data identifying a manufacturer of the asset. As noted in claim analysis the process steps must be dependent upon the descriptive limitation “asset”. However, none of the process steps are altered based upon the specifics of the asset. The manipulative steps assigning, recoding, categorizing, managing and providing access are not altered whether the assets include certain type of data such as that recited in claim 9.

Claims 50-51: refer to claims 2-5 analysis.

Claims 76-77 are analyzed as per claims 46 and 78. (see following paragraph).

Claims 46 and 78: the entities include at the manufacturer or vendor and the purchaser of the asset (see col. 13 L 1-34)

As per claims 52 and 83: Perkowski in combination with McKie discloses a system for recording information related to asset and providing access to the information to interested parties throughout cycle of the asset as per discussion of claim 1 and dependent claims.

Claim 54: refer to claim 22 and 24 analysis.

Claim 55. As per corresponding method claim 1, Perkowski in combination with McKie discloses a system for recording information related to an asset and providing access to the

information to interested entities. Each process step corresponds to respective "means for" limitation of claim 55.

(refer to claim 1 analysis)

Claims 56-61 do not further limit the structure of the system. They describe the type of information being recorded by the means for recording. The particulars of or the nature of the information do not alter the "means for recording" (e.g. an IPD database server11) since the means for recording the asset information in the cited references is capable of recording any kind of information. Therefore, it is asserted that Perkowski in combination with McKie as analyzed teach the limitations of claim 56-61.

Claims 79, 81-83: These claims depend upon a system (or apparatus) claim 52. However, they do not further limit any element of the system claim 52. For example, the plurality of entities identified in claims do not alter the structure of the electronic interface. Accordingly it is asserted that the electronic interface of Perkowski-McKie combination meets these limitations.

(see col. 7 L 15-35 each security group is given access (read/write, read only or one)..)

Claim 86: the means for recording and categorizing asset information and for managing read and write access privileges to said data is embodied on one or more computer readable memories containing one or more computer programs, sub-programs or instructions that are executable by one or more processors or computers (see col. 17-52).

Claim 89: all limitations of claim 89 have been analyzed as per respective method steps in claim 1.

Claim 90: wherein said first entity writes data pertaining to the first attribute and said second entity reads data pertaining to said second attribute (refer to claim 1 analysis).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748. The examiner can normally be reached on 800AM-630PM Mon-Tue and Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **KRAMER JAMES A** can be reached on **(571)272-6783**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/JAGDISH N PATEL/

Primary Examiner, Art Unit 3693

4/29/08